

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**THOMAS JONES, ET AL**

**PLAINTIFFS**

**V.**

**CIVIL ACTION NO. 1:14-cv-00447 LG-RHW**

**SINGING RIVER HEALTH  
SERVICES FOUNDATION ET. AL.**

**DEFENDANT**

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**MOTION TO QUASH SUBPOENA**

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COMES NOW DUSTIN N. THOMAS, and hereby moves this Court for an order quashing the Plaintiff's Subpoena, issued and personally served in this matter on or about the 11<sup>th</sup> day of May, 2016, commanding Dustin N. Thomas to appear on the 16<sup>th</sup> day of May, 2016 at 10:00 a.m., and in support of same would show unto the Court the following, to-wit:

1.

Dustin N. Thomas was served with a Subpoena To Appear and Testify At A Hearing Or Trial In A Civil Action by parties listed as "an objector-Barton/Denham on or about the 11<sup>th</sup> day of May 2016, requiring his appearance and testimony on the 16<sup>th</sup> day of May 2016 at 10:00 A.M in a hearing before this Honorable Court in the above entitled action.

2.

Dustin N. Thomas is an attorney who has entered an appearance in this action on behalf of the Cobb Plaintiff's and would show that pursuant to Rule

THOMAS JONES ET. AL. v. SINGING RIVER HEALTH SERVICES FOUNDATION ET. AL.  
Cause no. 1:14cv00447 LG RHW  
Motion to Quash

45 d(3)(A)(iii) of the Federal Rules of Civil Procedure, the subpoena should be quashed as any testimony elicited would be information that is protected by the attorney/client privilege and/or the Work Product Privilege. Requiring the testimony would hamper the effective representation of my clients in this litigation.

3.

In filing this Motion to Quash for the reasons herein set forth, your petitioner does not acknowledge that the subpoena is otherwise proper and specifically reserves the right to bring further objections at the appropriate time.

WHEREFORE, PREMISES CONSIDERED, Dustin N. Thomas, one of the attorneys for the plaintiffs in REGINA COBB ET. AL. v. SINGING RIVER HEALTH SYSTEM ET. AL., requests that a hearing be held, evidence and oral argument received and that this Court quash the subpoena previously served by parties listed as "an objector-Barton/Denham upon Dustin N. Thomas.

Further, Dustin N. Thomas requests any and all other relief as the Court may deem just and proper in the premises.

Respectfully submitted,  
DUSTIN N. THOMAS

This the 12<sup>th</sup> day of May, 2016.

BY: s/Dustin N. Thomas  
DUSTIN N. THOMAS

### **CERTIFICATE**

I, DUSTIN N. THOMAS, do hereby certify that on the 12<sup>th</sup> day of May, 2016, I electronically filed the above and foregoing Motion to Quash Subpoena with the Clerk of the Court utilizing the ECF system, which provides notification via ECF to all counsel of record.

SO CERTIFIED on this the 12<sup>th</sup> day of May, 2016.

s/Dustin N. Thomas  
DUSTIN N. THOMAS

DUSTIN N. THOMAS  
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